

## CANAL ZONE BOUNDARIES

*Agreement signed at Panama June 15, 1904*  
*Entered into force June 15, 1904*

III Redmond 2752

Whereas by the terms and provisions of Article II of the Convention for the Construction of an Interoceanic Canal between the United States of America and the Republic of Panama, signed by the representatives of the two nations on November 18, 1903,<sup>1</sup> the ratifications of which were exchanged at Washington on the 26th day of February, 1904, the United States acquired the right of use, occupation, and perpetual control from and after the said 26th day of February, 1904, in and over the Canal Zone and other lands, waters, and islands named in said Article II of the convention aforesaid; and

Whereas it has not yet been, and is not now, practicable to make a complete, definite, and exact location of the precise boundaries of all the territory ceded to the United States by the terms and provisions of said Article II of said convention; and

Whereas the successful completion of the work of construction of the interoceanic canal across the Isthmus of Panama is of transcendent importance to the United States, to the Republic of Panama, and to the people of the world; and

Whereas in order that said work of construction of said interoceanic canal may be systematically prosecuted, and in order that a government for the Canal Zone created by the terms and provisions of said Article II of said convention may be successfully organized and carried forward, it is necessary that the extent and boundaries of the said territory ceded to the Government of the United States by the Government of the Republic of Panama under the terms and provisions of said convention shall be provisionally determined and agreed upon:

Now, therefore, Gen. George W. Davis, Governor of the Panama Canal Zone, acting for and on behalf of the Government of the said zone, and Señor Don Tomas Arias, Secretary of State of the Republic of Panama, and Señor Don Ramon Valdes Lopez, Attorney General of said Republic, acting jointly for and on behalf of the Government of said Republic of Panama,

<sup>1</sup> TS 431, *ante*, p. 664.

having agreed that the Government of the Republic of Panama has delivered, and the Government of the United States has received, and had, on the 19th day of May, 1904, received, for its use, occupation, and control the Isthmian Canal Zone described in said Article II of the aforesaid convention for the construction of an interoceanic canal, including lands and waters in the said zone, lands under water, islands in said zone, and the islands of Perico, Naos, Culebra, and Flamenco, do make this further

#### AGREEMENT

SECTION 1. The limits of the Canal Zone, including lands under water and islands ceded, but not including the cities and harbors of Colon and Panama, delivery of which lands, waters, and islands has been made by Panama, and possession of which has been taken by the United States, are indicated and shown on the attached map <sup>2</sup> (marked "A"), signed by the said parties to this agreement, as accurately as it is possible to indicate on a map with the existing information respecting the topography of the region traversed by the canal, by a heavy red line crossed with black, and drawn at the uniform distance by scale of 5 statute miles on each side of the middle line of the canal, and said indicated boundary, or line of division, between the territory ceded by the Republic of Panama to the United States for canal purposes and the adjoining or abutting lands of the Republic of Panama is provisionally accepted and will be strictly observed by the two Governments until the limits or boundaries of the said zone, waters, and islands shall be definitely and finally marked, fixed, and determined.

SEC. 2. The limits of the city and harbor of Panama, as indicated and shown by a heavy red line crossed with black on the attached map <sup>2</sup> (marked "B"), and as described on the paper attached to the said map, both of which are signed by the parties to this agreement, are provisionally accepted and will be strictly observed by the two Governments until the true and definite line of division between the Canal Zone and its waters, on the one hand, and the city of Panama and its harbor, on the other, shall be finally surveyed, marked off, fixed and determined: *Provided*, That the outer or marine boundary of the harbor of Panama shall, as soon as practicable, be agreed upon and marked with buoys or other monuments.

SEC. 3. The limits of the city and harbor of Colon, as indicated and shown by a heavy red line crossed with black on the attached map <sup>2</sup> (marked "C"), and as described in a paper attached to said map, both of which are signed by the parties to this agreement, are provisionally accepted and will be strictly observed by the two Governments until the true and definite line of division between the Canal Zone and its waters, on the one hand, and the city of Colon and its harbor, on the other, shall be finally surveyed, marked off, and determined.

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<sup>2</sup> Not printed.

SEC. 4. As necessity may arise, special agreements will be made and entered into from time to time by the parties hereto or by their successors respecting the delimitation of any auxiliary lands or waters outside the Canal Zone which may be found to be necessary or convenient to the construction, sanitation, or protection of the interoceanic canal or of its auxiliary works.

SEC. 5. The Governor of the Canal Zone, or his successors, may employ the citizens of the Republic of Panama residing in the territory of the Republic, for which purpose the Government of the Republic gives them the permission mentioned in paragraph 2 of article 7 of the national convention.

In witness whereof we have signed these presents in the city of Panama this 15th day of June, 1904.

GEORGE W. DAVIS  
*Governor of Canal Zone*

TOMAS ARIAS  
*Secretary of State, Republic of Panama*

RAMON VALDES LOPEZ  
*Attorney General, Republic of Panama*